

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

v.

DOMINGO ZARATE-HERNANDEZ,

Defendant.

Case No. 2:13-CR-443-KJD-PAL

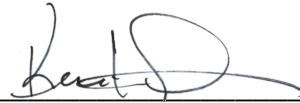
ORDER

Before the Court is Defendant Domingo Zarate-Hernandez's Motion for Extension of Time to File Notice of Appeal (#29). The Government failed to timely respond, and ultimately indicated its non-opposition via an e-mail to the Courtroom Deputy.

Subsequent to a guilty plea and sentencing, Defendant failed to timely file his notice of appeal, and has offered no justification for this failure. Nevertheless, Defendant petitions the Court to extend the time to file. At bottom, the failure rests squarely at the feet of the Federal Public Defender's Office who failed to timely ascertain whether Defendant desired to appeal his conviction and sentence. However, as this failure appears to be attributable to Defendant's counsel, and not to Defendant himself, the Court finds good cause for extending the time to file.

1 See Fed. R. App. P. 4(b)(4). Accordingly, it is **HEREBY ORDERED** that the time to file be
2 extended to the date immediately following the entry of this Order, and that the proposed Notice
3 of Appeal (#29, Ex. 1) be filed concurrently with this Order by the clerk.

4 DATED this 9th day of September 2014.

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8 Kent J. Dawson
9 United States District Judge
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